

Additionally, on May 1, 2019, after first seeking to reschedule the May 2, 2019 conference less than 48 hours in advance of the conference, *see* Docket No. 18; *cf.* Individual

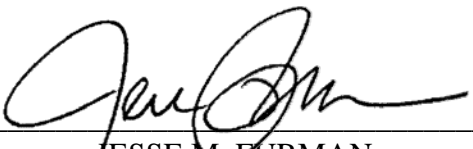
Rules and Practices in Civil Cases 1(E), only a few hours later, Plaintiff's counsel then sought to cancel the conference in light of Plaintiff's dismissal of the case, *see* Docket Nos. 20, 21. The Court denied the last-minute request to cancel the conference, *see* Docket No. 22, but Plaintiff's counsel failed to appear at the conference.

At the May 2 conference, which was held on the record, Defendant represented that, early in the case, it provided evidence of its license, *see also* Docket No. 16, and asked Plaintiff's counsel to dismiss the case. Defendant represented that Plaintiff's counsel persisted in seeking a settlement despite the license. It appears that Plaintiff's counsel agreed to dismiss the case only after it became clear that Defendant would not settle prior to the parties' initial appearance in Court. *See also* Docket No. 20 (Voluntary dismissal filed at 11:09 p.m. on May 1, 2019).

Accordingly, Plaintiff's counsel is ordered to show cause in writing, by **May 9, 2019**, why sanctions should not be imposed — pursuant to Rules 11 and 16 of the Federal Rules of Civil Procedure and/or the Court's inherent authority — for filing a meritless lawsuit; for continuing to prosecute that lawsuit even after being presented with evidence of its lack of merit; for failure to comply with this Court's orders; and for failure to appear as directed at the conference earlier today. Defendant shall file any response, including any and all billing records and evidence of costs incurred as a result of this litigation, by **May 16, 2019**.

SO ORDERED.

Dated: May 2, 2019  
New York, New York

  
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JESSE M. FURMAN  
United States District Judge